

September 6, 2005

September Sixth

20-----05

The regular September Meeting of City Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, T. Wayne Oakes, Sherman M. Saunders, H. Phillip Smith and Vice-Mayor R. Wayne Williams, Jr. (9).

Administrative Staff Members present were: City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, Finance Director Barbara A. Dameron, Budget Director Cynthia L. Thomasson, City Attorney W. Clarke Whitfield, Jr., Assistant City Attorney John C. Blair, II, and Clerk of the Council Annette Y. Crane, CMC.

Other Staff members present were Transportation Services Director Marc Adelman, Chief of Police Philip Broadfoot, Human Services Director Gwendolyn Edwards, Community Development Director Jerry Fischer, Planning Director Ken Gillie, Parks, Recreation and Tourism Director John Gilstrap, and Community Development Coordinator Anne Moore.

Mayor Hamlin presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Sherman Saunders offered the Invocation. The Pledge of Allegiance to the Flag followed.

COMMUNICATIONS FROM VISITORS

Mayor Hamlin recognized Dr. Shirley Primiano. Dr. Primiano, a resident of 524 Beechtree Court, requested that Council develop methods to control the deer population within the City limits. She felt that participation in the Virginia Department of Game and Fisheries (specifically the Urban Archery Season) would be appropriate along with other methods of control. Dr. Primiano advised the request for deer control was based on the following:

- Destruction of personal property - vegetable gardens, flowers, grasses, bushes, and trees
- Numerous automobile accidents
- Possible health problems, i.e., Lyme disease, bovine TB, tick-borne encephalitis (Creutzfeldt-Jakob), ringworm, foot and mouth diseases, and bacterial diseases.

Dr. Primiano asked Council for due diligence in solving the deer problem. She said the animals were becoming more aggressive, noting that while on an evening walk, an individual had been

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charged by a deer. She also reported there had been occasions when the deer would walk up on porches.

Dr. Primiano presented a petition containing approximately 113 names of residents in favor of appropriate controls.

Mayor Hamlin thanked Dr. Primiano for her presentation and asked City Manager Gwaltney to meet with Chief of Police Broadfoot to see what could be done to keep citizens out of harm's way.

Neal Morris, a resident at 117 Bridgewater Court, agreed that something needed to be done, stating his neighbors had been complaining for a couple of years about problems with deer. Mr. Morris advised he had been opposed to the Urban Archery Season, but had changed his mind. He said the programs in Martinsville and Lynchburg appear to be working very well and felt it would be a good way to control the deer population in the City. Mr. Morris stated he was also in favor of the Police Department's eradication program.

Council Members Saunders, Luther and Smith agreed with Dr. Primiano.

Mr. Saunders said there were times when deer would be in his driveway and he would have to wait until the deer moved to park his automobile.

Mr. Luther said the Country Club West area was also being inundated with deer. He said he understood the Life Saving Crew had been called to the area on two occasions in response to emergency calls involving deer.

Mr. Smith said the problem had continued to worsen in the last three or four years. He reported the deer are up and down Route 58 and the problem needed to be dealt with now.

Police Chief Broadfoot advised he understood a locality had to apply for the Urban Archery Season by May 1 in order for it to be in effect during the fall deer hunting season. He said he would investigate, but said the City may be too late for the Archery Season this year.

In response to Mr. Luther, Chief Broadfoot said there were a number of programs in the area that would accept donations of deer meat.

Mr. Saunders advised Chief Broadfoot to speak with someone in the City of Martinsville about their deer program.

Bill Weaver, a resident of 1659 Halifax Road, appeared to seek Council support of his efforts to help Hurricane Katrina victims. Mr. Weaver said he had a building that could house people or be a collection center for receiving donated items.

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Mr. Weaver suggested setting up a database to provide information on what the citizens of Danville were willing to do, such as providing housing, education, jobs and any other donations. He advised the database specifying donated services could be taken to the Red Cross. The Red Cross could, in turn, match victims' needs with the services available here.

Council Member Saunders thanked Mr. Weaver for coming before Council with his offer. He said the City needed an organized plan to get the job done and Mr. Weaver had the reputation of being a great organizer. Mr. Saunders said he had been invited to join Governor Warner in a conference call last Friday with about thirty (30) individuals from all over the State. He said Governor Warner called for localities to do just what Mr. Weaver was proposing. Mr. Saunders said during the conference call, not one City was named that had taken the lead in doing this. Mr. Saunders felt this was an excellent opportunity for Danville to be among the first to do so.

Mr. Saunders said he and Mayor Hamlin were at a gathering on Monday morning to wish God's Pit Crew well as they journeyed to the Gulf States to deliver supplies and provide assistance. He thanked Sacred Heart Catholic Church parishioners and its pastor, Father Charles Breindel, for adopting a church in Mississippi and a local businessman who has offered to house and assist twenty-five (25) victims. He advised the U. S. Department of Housing and Urban Development had mandated that Housing Authority facilities be used to house victims if they were available.

Mayor Hamlin stated he felt it would be better to go with a program that had dedicated all its efforts for many years with this type of emergency situation, such as the Red Cross or the Salvation Army.

Mr. Saunders urged Council Members to rally around Mr. Weaver and support his efforts. He said people were suffering and dying and needed help now. He said he did not wish to see Mr. Weaver on standby when something needed to be done now.

Mike Taylor, a former resident of Biloxi, Mississippi, and a Danville resident since 1983, appealed to City Council to support Mr. Weaver's efforts. He has communicated with family members in the area and said the need was great. He spoke on behalf of Father Breindel who could not be present for the meeting. Mr. Taylor said something needed to be done now without taking a protracted amount of time in which to do it.

Council Member Archie recalled that Mr. Weaver had done an excellent job getting the City's junkyard situation organized and corrected. She encouraged Mayor Hamlin and Council to support Mr. Weaver's plans to go forth with gathering support for victims on a website.

Mayor Hamlin reiterated the need for working together with the Red Cross and the Salvation Army, but stated he had heard no

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objection from Council to Mr. Weaver's plan. He said Mr. Weaver certainly had the blessing of the Council to go forth with his plan.

Council Member Saunders **moved** to support Mr. Weaver's efforts to gather resources on behalf of those suffering from the effects of Hurricane Katrina. Council Member Archie **seconded** the motion.

Vice-Mayor Williams said he felt there should be coordination of efforts by organizations that already exist for this type of emergency, such as the Salvation Army. He said those that were experts in handling emergencies should be allowed to do their job. He expressed concern that Council's support of Mr. Weaver could be misconstrued as financial support.

Council Member Luther expressed concern for the word "support" as well, stating it could be misunderstood at a later time. Mr. Luther said he would rather see Council bless what Mr. Weaver is willing to do and ask him to move forward with his plans, knowing that Council is behind his efforts.

At the request of Mr. Saunders, Mr. Weaver said he was simply asking the Council to endorse and encourage Danville citizens to reach out and to let Mr. Weaver know what they were willing to do to help the hurricane victims. He said he would take those requests to the Red Cross, the Salvation Army, or other organizations that assist with emergencies.

Amy Pruitt, a resident of 535 Arlington Road, gave Mayor Hamlin her father-in-law's name and phone number. Ms. Pruitt said he could assist victims with contacting FEMA.

The Motion was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

Clerk's Note: Dr. Williams stipulated he would vote in favor of the Motion with the understanding there would be no tax dollars committed to Mr. Weaver's efforts.

MINUTES

Upon Motion by Council Member Daniels and second by Council Member Archie, Minutes of the August 16, 2005 Regular Meeting of Danville City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

BUDGET ADOPTION-FY 2005-2006-TITLE III-B & TITLE III-D GRANTS

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Upon Motion by Council Member Smith and second by Vice-Mayor Williams, Ordinance No. 2005-08.09 presented by its First Reading on August 16, 2005 amending the Fiscal Year 2005-2006 Budget Appropriation Ordinance by increasing certain revenues to provide for Title III-B and Title III-D Grant Funds and local share for Senior Citizen Programs and appropriating same was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

BUDGET ADOPTION-FY 2005-2006-COMMUNITY ORIENTED POLICING GRANT

Upon Motion by Council Member Smith and second by Council Member Luther, Ordinance No. 2005-208.10 presented by its First Reading on August 16, 2005 amending the Fiscal Year 2005-2006 Budget Appropriation Ordinance by increasing revenue to anticipate the receipt of funds from the U. S. Department of Justice Office of Community Oriented Policing Services Grant Program for a Technology Grant in the amount of \$44,399 to be used toward the procurement of equipment, technology and other material directly related to the application of technology in the City of Danville Police Department was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

REAPPOINT HAMLIN, WILLIAMS AND LUTHER TO REGIONAL AUTHORITY

Council Member Castiglione moved adoption of a Resolution entitled:

RESOLUTION NO. 2005-09.01

A RESOLUTION REAPPOINTING JOHN C. HAMLIN AND R. WAYNE WILLIAMS, JR. AS REGULAR MEMBERS AND T. DAVID LUTHER AS ALTERNATE MEMBER OF THE BOARD OF DIRECTORS OF THE DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY.

The Motion was seconded by Council Member Saunders and adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

HEARING-SPECIAL USE PERMIT AT 733 RIVER PARK DRIVE

Mayor Hamlin opened the floor for a Public Hearing to consider a request for a Special Use Permit at 733 River Park Drive. Notice

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of the Public Hearing had been duly published in the Danville Register and Bee on August 23 and 30, 2005.

Attorney Patti McGraw representing applicant Sites Unlimited, Inc., appeared to answer questions from Council Members and citizens. She stated the company was requesting a Special Use Permit to allow construction of a 150' commercial communications tower at 733 River Park Drive.

No one further desired to be heard and the Public Hearing was closed.

Council Member Castiglione moved adoption of an Ordinance entitled:

ORDINANCE NO. 2005-09.01

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF A 150' COMMERCIAL COMMUNICATIONS TOWER IN ACCORDANCE WITH ARTICLE 3.0 (C) (4) AT 733 RIVER PARK DRIVE.

The Motion was seconded by Council Member Smith and adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

HEARING-REZONE PROPERTY AT 200 NORTH MAIN STREET

Mayor Hamlin opened the floor for a Public Hearing to consider a request rezone property located at 200 North Main Street. Notice of the Public Hearing had been duly published in the Danville Register and Bee on August 23 and 30, 2005. Attorney Mark Holland, representing applicant Capital Clutch, Inc., appeared to answer questions from Council Members and citizens.

No one further desired to be heard and the Public Hearing was closed.

Council Member Daniels moved adoption of an Ordinance entitled:

ORDINANCE NO. 2005-09.02

AN ORDINANCE REZONING FROM OT-R OLD TOWN RESIDENTIAL DISTRICT TO HR-C HIGHWAY RETAIL COMMERCIAL DISTRICT, 200 NORTH MAIN STREET.

The Motion was seconded by Council Member Archie and adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

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HEARING-REZONE .076 ACRE PORTION AT 812 CAHILL COURT

Mayor Hamlin opened the floor for a Public Hearing to consider a request to rezone a portion of property located at 812 Cahill Court. Notice of the Public Hearing had been duly published in the Danville Register and Bee on August 23 and 30, 2005. No one present desired to be heard and the Public Hearing was closed.

Council Member Castiglione moved adoption of an Ordinance entitled:

ORDINANCE NO. 2005-09.03

AN ORDINANCE REZONING FROM LED-I LIGHT ECONOMIC DEVELOPMENT DISTRICT TO HR-C HIGHWAY RETAIL COMMERCIAL DISTRICT, A .076 ACRE PORTION OF 812 CAHILL COURT.

The Motion was seconded by Council Member Oakes and adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

HEARING-AMEND CITY CODE - ARTICLE 10 CHAPTER 41 - MURAL PROGRAM

Mayor Hamlin opened the floor for a Public Hearing to consider amending certain Sections of Article 10 of Chapter 41 of the City Code to establish a Mural Program in the TW-C Tobacco Warehouse Commercial and CB-C Central Business Districts. Notice of the Public Hearing had been duly published in the Danville Register and Bee on August 23 and 30, 2005. No one present desired to be heard and the Public Hearing was closed.

Council Member Archie moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2005-09.04

AN ORDINANCE AMENDING AND REORDAINING CERTAIN SECTIONS OF ARTICLE 10 ENTITLED "SIGN REGULATIONS" OF CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE DANVILLE CITY CODE TO ESTABLISH A MURAL PROGRAM IN THE TW-C TOBACCO WAREHOUSE COMMERCIAL AND CB-C CENTRAL BUSINESS COMMERCIAL DISTRICTS.

The Motion was seconded by Vice-Mayor Williams and adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

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Vice-Mayor Williams advised the mural program would not cost the city any taxpayer's dollars.

HEARING-TAX EXEMPT STATUS FOR FREE CLINIC OF DANVILLE

Mayor Hamlin opened the floor for a Public Hearing to consider a request for exemption from taxation by the Free Clinic of Danville. Notice of the Public Hearing had been duly published in the Danville Register and Bee on August 27, 2005. Brent Saunders, a member of the Board of Directors, appeared to answer questions from Council Members and citizens. No one present desired to be heard and the Public Hearing was closed.

Vice-Mayor Williams moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2005-09.05

AN ORDINANCE TO DESIGNATE THE FREE CLINIC OF DANVILLE AS BEING EXEMPT FROM LOCAL REAL AND PERSONAL PROPERTY TAXATION.

The Motion was seconded by Council Member Saunders and adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

ISSUE GENERAL OBLIGATION BONDS - \$3,800,000 - ELECTRIC SYSTEM

Upon Motion by Council Member Smith and second by Council Member Archie, an Ordinance entitled:

ORDINANCE NO. 2005-09.06

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF DANVILLE, VIRGINIA, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,800,000 FOR ELECTRIC SYSTEM IMPROVEMENTS

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT-FY 2005-2006-CHILD WELFARE IMPROVEMENT PLAN

Upon Motion by Council Member Smith and second by Council Member Oakes, an Ordinance entitled:

ORDINANCE NO. 2005-09.07

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE DUE TO ANTICIPATING FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES IN THE AMOUNT OF \$34,919 FOR IMPLEMENTING A CHILD WELFARE PROGRAM IMPROVEMENT PLAN

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was presented by its First Reading, as required by City Charter, to lie over before final adoption.

In response to Council Member Archie, Human Services Director Gwendolyn Edwards advised the focus of the City's improvement plan was to assist in preventing a child from being placed multiple foster homes. Of the fourteen (14) elements that were reviewed by the Federal government, the only element applicable to Danville was foster home placements.

BUDGET AMENDMENT-FY 2005-2006-LAND ACQUISITION-RUNWAY PROTECTION

Upon Motion by Council Member Archie and second by Vice-Mayor Williams, an ordinance entitled:

ORDINANCE NO. 2005-09.08

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR STATE AND FEDERAL GRANT FUNDS FOR LAND ACQUISITION SERVICES FOR THE RUNWAY PROTECTION ZONE AREAS OF THE PRIMARY RUNWAY AT THE DANVILLE REGIONAL AIRPORT IN THE AMOUNT OF \$46,990 AND THE LOCAL SHARE IN THE AMOUNT OF \$960 FOR A TOTAL APPROPRIATION OF \$47,950

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT-FY 2005-2006-PHASE III TRAIL DEVELOPMENT PROJECT

Upon Motion by Council Member Luther and second by Council Member Luther and second by Council Member Oakes, an Ordinance entitled:

ORDINANCE NO. 2005-09.09

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE FOR GRANTS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$831,000 AND LOCAL SHARE IN THE AMOUNT OF \$207,750 TO CONTINUE PHASE III TRAIL DEVELOPMENT PROJECT AND TO PROVIDE FUNDS FOR THE DANVILLE SCIENCE CENTER EXPANSION PROJECT FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$1,038,750

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT-FY 2005-2006-DOMESTIC VIOLENCE VICTIM PROGRAM

Upon Motion by Council Member Castiglione and second by Council Member Archie, an Ordinance entitled:

ORDINANCE NO. 2005-09.10

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR

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A DOMESTIC VIOLENCE VICTIM PROGRAM GRANT IN THE AMOUNT OF \$50,000 AND APPROPRIATING SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT-FY 2005-2006-VICTIM WITNESS PROGRAM GRANT

Upon Motion by Council Member Castiglione and second by Council Member Smith, an Ordinance entitled:

ORDINANCE NO. 2005-09.11

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR A VICTIM WITNESS PROGRAM IN THE AMOUNT OF \$50,537 AND APPROPRIATING THE SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

CITY AND DOWNTOWN DANVILLE ASSOCIATION MURAL PROGRAM

Council Member Smith moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2005-09.12

AN ORDINANCE AUTHORIZING COLLABORATION BETWEEN THE CITY OF DANVILLE AND THE DOWNTOWN DANVILLE ASSOCIATION TO IMPLEMENT A MURAL PROGRAM IN DOWNTOWN DANVILLE.

Council Member Oakes seconded the Motion.

Council Member Archie called attention to item #6 in the Mural Contract Award. A portion of line 2 reads, "That if the DDA permits the mural to fade to where they are no longer attractive..." Mrs. Archie requested the words "they are" be corrected to read, "it is."

Council Member Daniels read item #7 of the Contract as follows: Should the DDA be dissolved or no longer be in existence, this contract may be assigned to its successor. Any party assigned this contract from the DDA will be obligated the same as the DDA for the continued maintenance of the mural.

Mr. Daniels said it was discussed by Council and understood that if the DDA did not continue in this role, then the City would take on the responsibility. Mayor Hamlin responded that another agency could possibly take on the responsibility for the program.

In response to Mr. Daniels, Mayor Hamlin agreed the City could possibly take on the responsibility if the DDA was no longer a viable Association.

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In response to Council Member Daniels, City Attorney Clarke Whitfield stated the Contract was not a part of the Ordinance before Council for consideration. He said the attachment to the Ordinance was for informational purposes only. Mr. Whitfield said the Contract would be between the Downtown Danville Associates and the owner of the building that is willing to have a mural painted on his/her property. He continued that City Council would not be a party to the Contract.

Mr. Daniels wondered if the Ordinance would bind a future Council to take over the program. He read item #6 in the Ordinance as follows: "The Downtown Danville Association or any successor thereof shall be responsible for the continued maintenance of all murals in the newly created districts, including upon the transfer of building to a subsequent owner." Mr. Whitfield said he agreed with the premise that a sitting Council could not bind a future Council, but since there was no guarantee that a future Council would be taking over, Mr. Whitfield did not believe item #6 of the Ordinance would bind a future Council.

Mr. Daniels said as long as there is doubt that the Ordinance would bind a future Council, then he said it was a red flag for him and he could not support the matter. He felt the Ordinance was flawed.

City Manager Gwaltney said the DDA makes commitments everyday on behalf of the City. He said there were thousands of dollars in loans on buildings the City had to deal with. Mr. Gwaltney advised highway projects were dealt with everyday and at some point, a future Council would have to deal with them just as the sitting Council has to deal with issues. Mr. Gwaltney said he did not believe this project would be as risky as some of the others.

In response to Mr. Luther, City Manager Gwaltney said the primary source of funding for the Downtown Danville Association was the City of Danville. He advised the City contributes \$40,000 to \$42,000 annually.

Council Member Castiglione stated that the mural program would be a good way to bring tax dollars into the City's coffers and attract tourists to Danville.

Mr. Daniels said the private sector also contributes \$40,000 annually to the DDA. He wondered what would happen if the private sector did not come through with its funds.

The Ordinance was adopted by the following vote:

VOTE: 8-1
AYE: Archie, Castiglione, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (8)
NAY: Daniels (1).

AUTHORIZE ACQUISITION OF PROPERTY FROM NORFOLK SOUTHERN RAILWAY

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Council Member Castiglione moved adoption of a Resolution entitled:

RESOLUTION NO. 2005-09.02

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL NECESSARY DOCUMENTS TO ACQUIRE PROPERTY FROM THE NORFOLK SOUTHERN RAILWAY COMPANY.

The Motion was seconded by Vice-Mayor Williams and adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

APPROVE FISCAL 2005-2006 PERFORMANCE CONTRACT-COMMUNITY SERVICES

Council Member Daniels moved adoption of a Resolution entitled:

RESOLUTION NO. 2005-09.03

A RESOLUTION APPROVING THE FISCAL YEAR 2005-2006 PERFORMANCE CONTRACT FOR DANVILLE-PITTSYLVANIA COMMUNITY SERVICES.

The Motion was seconded by Council Member Saunders and adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

DECLINE TO NAME FUTURE ROBERTSON BRIDGE FOR COL. DAVID HACKWORTH

Mrs. Archie stated the name of the bridge was Robertson Bridge and not Robertson Street Bridge as contained in the Resolution. The City Attorney noted the correction.

Council Member Archie moved adoption of a Resolution entitled:

RESOLUTION NO. 2005-09.04

A RESOLUTION DECLINING TO NAME THE FUTURE ROBERTSON BRIDGE WITHIN THE CITY OF DANVILLE, VIRGINIA.

Council Member Oakes seconded the Motion.

Council Member Luther advised the minutes of the Commission meeting noted that the possibility of charging a fee to file an application had been recommended. Mr. Luther said there was a tremendous amount of paperwork attached to the application at hand. Mrs. Archie stated the matter would be discussed at a future Work Session in order for Council to make that decision.

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Mr. Daniels recommended that someone in the City administration screen the applications for eligibility before they are passed on to the Commission for consideration. He also noted that if an applicant wished to appeal a decision, then he/she certainly should have the right to do so. Mr. Daniels asked that these matters be placed on a Work Session for further consideration.

The Resolution was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

COMMUNICATIONS

City Manager Gwaltney advised he had received inquiries about the City's readiness in case of an emergency such as the one experienced by the Gulf coast states last week. He said he and Emergency Service personnel had an opportunity to be a part of a federal emergency management (FEMA) call and was asked not to send anyone to the Gulf States. Mr. Gwaltney said the City had been asked to have our HAZMAT team on standby. If needed, a team of three to six employees will be dispatched. He further advised that two (2) National Guardsmen, who are City employees, had been deployed to the Gulf States area to assist in the relief and rescue efforts. Eighteen (18) others could possibly be sent.

Mr. Gwaltney stated he had received a conditional WARN notice from Dan River, Inc. to advise that if Dan River was not able to reach a definitive agreement to sell the division by October 31, 2005, Dan River will begin the process of closing the manufacturing facility at 1100 West Main Street. If the agreement is not reached by the October 31 date, then on or about November 5, 2005, 650 employees will be affected. Mr. Gwaltney said he had been in contact with State officials about using Work Force Investment to work with these displaced employees.

There were no communications from the Deputy City Manager, City Attorney and City Clerk.

ROLL CALL

Council Member Archie asked Mr. Lacy to meet with Parks, Recreation and Tourism Director John Gilstrap to investigate the possibility of placing port-a-johns on school grounds. Mrs. Archie felt users of the walking trails and students practicing on school grounds needed the facilities.

Council Member Castiglione reported that Danville Community College (DCC) students, Virginia Bank and Trust Company employees, and the River City 5K will be offering the first half marathon along with the traditional River City 5K on Saturday.

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The event will start at DCC and end at the Pepsi Building. Mr. Castiglione said there would be runners from Connecticut, North Carolina, and Virginia participating.

Council Member Daniels asked City Manager Gwaltney to consider the possibility of employees who use city-owned vehicles to drive back and forth to work, paying for his/her gas to do so. Mr. Daniels also requested a breakdown of these thirty-seven (37) city-owned vehicles, giving how many times each vehicle comes into work each year and the cost. He said with gas prices such as they presently are, it would save the City a good deal of money. Mr. Gwaltney agreed to do so.

Mayor Hamlin stated he had received communication from God's Pit Crew, who are in the gulf states assisting with Hurricane Katrina relief, have requested the following items for their own safety: rubber gloves, face masks, rubbing alcohol, over-the-counter drugs, Gatorade, manual can openers, large coolers, plates with lids, tents and folding chairs. These items are needed immediately and can be dropped off at the K-Mart parking lot.

Council Member Luther said he had heard on the news that Governor Warner has opened and was setting up Fort Pickett for some Gulf State residents seeking assistance.

Mr. Luther said the City's Headstart Program needed a facility in which to hold classes. He encouraged support of this worthwhile program.

Council Member Saunders thanked local citizens who are assisting hurricane victims and asked everyone to remember those serving in the military. He expressed sincere appreciation to God's Pit Crew, the Red Cross and others, such as Bill Weaver, for all that was being done for those less fortunate.

Council Member Smith said he felt the Main Street Program had been the most effective program in the last twenty-five years to meet the goal of revitalizing downtown areas. The Virginia Main Street Program requires a public/private partnership and Mr. Smith encouraged small businesses across the City to contact Downtown Danville Association Executive Director Liz Sater or Deputy City Manager Lacy to ascertain what types of investments could be made toward providing private funds for continuance of the success of downtown revitalization.

Mr. Smith said he had requested information several meetings ago relating to personal property taxes and he had not received it.

Mr. Smith said he would like to include in a Work Session, a report on the hiring and training of the two (2) animal control officers that were recently hired. He asked that the report include what they do in the course of their workday. Mr. Smith the officers may provide extra eyes and ears out in the community as far as property owners not taking care of their property. Mr.

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Smith said he would propose sometime this fall that Council consider a nuisance ordinance.

Vice-Mayor Williams said we needed to really come together as a community and respond to Hurricane Katrina victims. He said the devastation in the Gulf States was phenomenal and everyone needed to dig deeper and give as much as possible.

Dr. Williams expressed frustration at watching gas prices rise. He asked if there was anything that could be done. He felt this was price gouging.

City Attorney Whitfield said there was an anti price-gouging law in Virginia. Mr. Whitfield said to put the law into effect, there has to be a natural disaster in Virginia and the governor must declare a state of emergency. In Virginia's case, the governor has no reason to declare a state of emergency.

Dr. Williams asked that the issue be placed on the list of items to be discussed during the General Assembly.

Dr. Williams said the construction along Kemper Road had been going on for so long that he felt it was becoming a detriment to the community. Deputy City Manager replied that the city's contractor for curb and gutter construction is busy making repairs. As soon as that work has been completed, the street repairs will be completed. Mr. Lacy said work is ongoing on that project.

Dr. Williams asked that the work be completed as soon as possible.

The Meeting adjourned at 9:01 P.M.

MAYOR

CLERK